

## **REMARKS / ARGUMENTS**

### **I. General Remarks and Disposition of the Claims**

Claims 1-32 are pending in this application. Claim 10 is currently amended. Applicants thank the Examiner for his careful consideration of this application and acknowledge Examiner's designation of claims 1-9 and 18-32 as being drawn to allowable subject matter.

Applicants respectfully request that the above amendments be entered, and further request reconsideration in light of the amendments and remarks contained herein.

### **II. Remarks Regarding 35 U.S.C. § 102(b) Rejections**

Claims 10-12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 3,965,686 issued to Saito *et al.* [hereinafter *Saito*].

In order to form a basis for a rejection under 35 U.S.C. § 102(b), a prior art reference must disclose each and every element as set forth in the claim. *See* MANUAL OF PATENT EXAMINING PROCEDURE § 2131 (2004). With respect to claims 10-12, the examiner states as follows:

Referring to claims 10-12, Saito discloses (fig. 1) an in situ filter for controlling flow-back of proppants comprising a network of composite fibrous sponge (2) and a plurality of interspersed helical springs (4) wherein the filter when placed in a fracture of a subterranean formation is capable of preventing the flowback of at least one proppant into a wellbore penetrating the subterranean formation.

(Office Action, at page 2). *Saito* does not disclose each limitation recited in Applicants' claims 10-12 and therefore cannot form the proper basis for a § 102(b) rejection.

With respect to as-amended claim 10, *Saito* does not teach or suggest every claim limitation. In particular, *Saito* does not disclose the limitation of claim 10 where the in-situ filter comprises "a network of fibrous material, a plurality of interspersed springs, and an aqueous soluble mixture." Rather, *Saito* discloses that the drain sheet material must comprise a non-woven fabric layer of high water-permeability that cannot easily be deformed and thus would not dissolve. *See Saito*, col. 4 lines 1-21. Because *Saito* does not disclose a filter that comprises "a network of fibrous material, a plurality of interspersed springs, and an aqueous soluble mixture," Applicants assert that *Saito* cannot anticipate claim 10 and the claim is therefore allowable. Additionally, because claims 11-17 depend, either directly or indirectly, from independent claim 10, these dependent claims should be allowed for at least the same reasons. Thus, Applicants

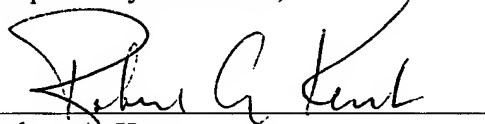
respectfully request withdrawal of the § 102(b) rejection as to claims 10-12 and the objections as to claim 13-17, and further request the timely issuance of a Notice of Allowance for these claims.

**SUMMARY**

In light of the above remarks, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections. Applicants further submit that the application is now in condition for allowance, and earnestly solicit timely notice of the same. Should the Examiner have any questions, comments, or suggestions in furtherance of the prosecution of this application, the Examiner is invited to contact the attorney of record by telephone, facsimile, or electronic mail.

Applicants believe that no additional fees are due in association with the filing of this Response. However, should the Commissioner deem that any additional fees are due, including any fees for extensions of time, the Commissioner is authorized to debit the Deposit Account of Halliburton Energy Services, Inc., No. 08-0300, for any underpayment of fees that may be due in association with this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Kent", is written over a horizontal line.

Robert A. Kent  
Registration No. 28,626  
Halliburton Energy Services, Inc.  
2600 South Second Street  
P.O. Drawer 1431  
Duncan, OK 73536-0440  
Telephone: 580-251-3125

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